

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

IN RE:

**ANTHONY JOSEPH GRIER**  
**DEBTOR.**

**Case No. 18-30555**  
**Chapter 13**

**DEBTOR'S RESPONSE AND OBJECTION TO MOTION FOR RELIEF FROM STAY,**  
**OBJECTION TO MOTION FOR ADEQUATE PROTECTION AND REQUEST FOR A**  
**PRELIMINARY HEARING**

NOW COMES DEBTOR, by and through counsel and hereby responds to the Motion for Relief from Stay filed by Creditor, PHH Mortgage Corporation as servicer for The Bank of New York Mellon Trust Company, National Association fka The Bank of New York Trust Company, N.A. as Successor to JP Morgan Chase Bank N.A., as follows:

1. On or about April 12, 2018, Debtor filed a Chapter 13 bankruptcy petition in the Western District of North Carolina.
2. Debtor included in his filing, a parcel of real property located at 1919 Lakedell Drive, Charlotte, NC ("Property"), with a secured claim owed to Creditor.
3. Debtor's needs this property for a successful reorganization of his estate.
4. Debtor contends that Movant will not suffer irreparable harm and is afforded adequate protection of its interest in the property.

WHEREFORE, Debtor prays the Court as follows:

1. That a hearing be conducted regarding all issues of fact raised by the creditor's Motion and this response hereto;

2. That the Creditor's Motion for Relief from Stay or in the alternative Adequate Protection be denied;
3. That David W. Hands, Attorney for Debtor, be awarded the presumptive non-base fee for defense of this Motion in the amount of \$450.00; and
4. For such other and further relief as the Court may deem appropriate in this matter.

This 13<sup>th</sup> day of August, 2024.

s/David W. Hands  
David W. Hands  
NC Bar No: 28560  
3558 N. Davidson Street  
Charlotte, NC 28205  
(704) 248-7976  
Attorney for Debtor  
[Dhands@handslawonline.com](mailto:Dhands@handslawonline.com)

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Debtor's Response to Motion for Relief from Stay was served upon the following individuals by depositing copies of same in an official depository of the United States Mail, first-class, postage pre-paid, and addressed as follows or via electronic mail:

United States Clerk of Bankruptcy Court  
401 West Trade Street  
Charlotte, NC 28202

U.S. Bankruptcy Case Administrator  
402 West Trade Street, Suite 200  
Charlotte, NC 28202

Jenny P. Holman  
Chapter 13 Trustee  
5970 Fairview Road, Ste 650  
Charlotte, NC 28210

Anthony Grier  
5426 Dolphin Lane  
Charlotte NC 28215

William P. Harris  
LOGS Legal Group LLP  
10130 Perimeter Parkway Ste 400  
Charlotte NC 28216  
[LOGSECF@logs.com](mailto:LOGSECF@logs.com)

This 13<sup>th</sup> day of August, 2024.

s/David W. Hands  
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